

## **REMARKS**

### **File History**

**In the non-final Office action of 1/17/2007:**

- **Claims 4-10, 34-39** are allowed.
- **Claims 2, 11-12, 23-26, 41** are indicated to contain allowable subject matter.
- **Claims 1, 3, 13-17, 21-22, 40** were rejected under 35 USC §102(e) as being fully anticipated by **Tsai et al.** (US 5,753,418).
- **Claims 18-20** were rejected under 35 USC §103(a) as being obvious over **Chou et al.** (US 5,968,846) as combined with **Tsai.**

### **Summary of Current Response**

Claim 2 is canceled without prejudice while the limitations of allowable Claim 2 are appended to Claim 1. Claim 41 is also amended.

### **Claims depending from amended Claim 1**

Each of rejected claims 3, 13-17, 18-20, 21-22, 40 depends directly or indirectly from Claim 1. As a result of the incorporation of the limitations of Claim 2 into Claim 1, all of these rejected claims should now be found allowable.

### **Amendment is not acquiescence to Office position**

The above amendments are not to be viewed as Applicant conceding to any assertions made by the Office regarding claim construction or what the applied art teaches or suggests to one of ordinary skill in the art. Instead the amendment to Claim 1 is made as a matter of pragmatic financial considerations. It is costly to persistently file Rule 132 declarations and arguments of counsel. Applicant reserves the right to pursue subject matter covered by original Claim 1 by way of a continuation if such a course is later deemed to be pragmatically worthwhile.

## CONCLUSION

It is believed that all outstanding grounds of rejection have been overcome by the amendments to claims 1 and 41. Applicant respectfully requests entry of the amendments and examination with favorable outcome. Should any other action be contemplated by the Examiner, it is respectfully requested that he contact the undersigned at (408) 392-9250 to discuss the application.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2257 for any matter in connection with this response, including any fee for extension of time and/or fee for additional claims, which may be required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 12, 2007.

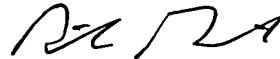


4-12-2007

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Date of Signature

Respectfully submitted,



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